SINGLE BENCH

CF/1002 (5)

IN THE HIGH COURT OF CHHATTISGARH AT BILASPUR

(CHHATTISGARH)

WRIT PETITION (S) NO. 6837 OF 2006

PETITIONER : Narendra Kumar Verma Son of Late Shri Jainath Prasad Verma, aged about 50 years, Occupation Upper Division Teacher (U.D.T.), presently working at Govt. Multipurpose Higher Secondary School Ambikapur, District Surguja (C.G.).

P.R. No. 6980/06 Ganesh Gupta 21/12/06 dated

VERSUS

RESPONDENTS :

1. State of Chhattisgarh, Through: The Secretary, Department of School Education, D.K.S. Bhawan, Raipur (C.G.).

RECEIVED-COPY 28/12/06 CLERK to A. G. BILASPUR

2. The Director, Public Instructions, Raipur District Raipur (C.G.).

3. The Collector, Surguja Ambikapur (C.G.).

OATH COMMISSIONER APARNA MALVIYA CG-2073/96 26/12/06 Bilaspur Chhattisgarh

4. The District Education Officer, Ambikapur, District Surguja (C.G.).

5. The Principal, Govt. Multipurpose Higher Secondary School, Ambikapur, District Surguja (C.G.).

Barsoni

(6) (4)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF MANDAMUS, CERTIORARI, PROHIBITION ETC.

XI-HC-78

(44)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.(S) No. 6837/06 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

11.12.2006

Shri Ajay Dwivedi, counsel for the petitioner.

Ku. Sunita Jain, Panel Lawyer for the respondents/State.

Heard on admission.

Petitioner who is an Upper Division Teacher has preferred this petition against order dated 7-7-2006 of Annexure P-1 whereby he has been transferred from Govt. Multipurpose Higher Secondary School, Ambikapur to Govt. Higher Secondary School, Dhaurpur, District Sarguja on administrative ground. From a perusal of the documents annexed with the petition it appears that in pursuance of the said order, the petitioner was relieved on 11-7-2006 vide Annexure P-2. Thereafter on the basis of representation to the Education Minister vide Annexure P-3 and to the Chief Minister vide Annexure P-4, the Directorate, Public Education vide memo of Annexure P-6 addressed to Collector, Sarguja directed him to cancel the transfer order of Annexure P-1 and in pursuance thereof, the District Education Officer vide order of Annexure P-7 directed the petitioner to join at his previous place of posting temporarily until further orders. It appears that the above order was passed on the basis of some telephonic instruction and thereafter he joined on 7-11-2006 vide Annexure P-8. The District Education Officer, Ambikapur vide his memo dated 13-11-2006 of Annexure P-9 informed the petitioner that earlier order of Annexure P-7 dated 7-11-2006 is cancelled with immediate effect and the petitioner should take charge in the transferred school.

Learned counsel for the petitioner submits that within a span of 4 months, the petitioner has been subjected to transfer twice and in the aforesaid circumstances, the transfer order of Annexure P-1 and subsequent order of Annexure P-9 and Annexure P-10 should not be given effect to and

P.T.O.

XI-HC-78

(45)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P. NO. 6837/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

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	he should be permitted to continue in Govt. Muitipurpose Higher Secondary School, Ambikapur. I have heard learned counsel for the petitioner. I have perused various orders passed by the State authorities in the matter of transfer of the petitioner who is admittedly an Upper Division Teacher. Considering the manner in which the petitioner managed various orders after passing of the transfer order of Annexure P-1, this Court is of the opinion that no interference is called for in the matter of transfer order of the petitioner and the petition deserves to be dismissed and it is accordingly dismissed in admission stage. **Sd/-** **Dhirendra Mishra** **Judge**	

P.T.O.